
UNITED STATES DISTRICT COURT

for the

District of South Carolina

Darry Lynn Porter,

Petitioner

v.

Warden Evans Correctional Institution,

Respondent

)
)
)
)
)

Civil Action No. 1:11-3416-RMG

JUDGMENT IN A CIVIL ACTION

The court has ordered that (*check one*):

☐ the plaintiff (*name*) _____ recover from the defendant (*name*) _____ the amount of _____ dollars (\$___), which includes prejudgment interest at the rate of ____ %, plus postjudgment interest at the rate of ____ %, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant (*name*) _____ recover costs from the plaintiff (*name*) _____.

☒ other: the petitioner, Darry Lynn Porter, shall take nothing of the respondent, Warden Evans Correctional Institution, as to the petition filed pursuant to 28 U.S.C. §2254 and this action is dismissed without prejudice.

This action was (*check one*):

☐ tried by a jury, the Honorable _____ presiding, and the jury has rendered a verdict.

☐ tried by the Honorable _____ presiding, without a jury and the above decision was reached.

☒ decided by the Honorable Richard M. Gergel, United States District Judge, presiding, adopting the Report and Recommendation set forth by the Honorable Shiva V. Hodges, United States Magistrate Judge, which dismissed the petition without prejudice.

Date: March 14, 2012

CLERK OF COURT

s/A. Buckingham
